

# MEMORANDUM

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Agenda Item No. 3(C)

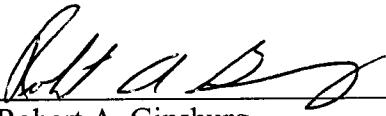
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**TO:** Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners      **DATE:** October 12, 2004

**FROM:** Robert A. Ginsburg  
County Attorney      **SUBJECT:** Ordinance pertaining to zoning; amending Section 33-1(53.1) to revise the definition of group home

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The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Jose "Pepe" Diaz.

  
\_\_\_\_\_  
Robert A. Ginsburg  
County Attorney

RAG/bw

# Memorandum



**Date:**

**To:** Honorable Chairperson Barbara Carey-Shuler, Ed. D.  
and Members Board of County Commissioners

**From:**

George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the County Manager.

**Subject:** Ordinance pertaining to zoning; amending section 33-1(53.1) of the Code; Revising  
the definition of Group Home

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This ordinance pertaining to zoning amending Section 33-1(53.1) of the Code of Miami-Dade County will have no fiscal impact on Miami-Dade County.

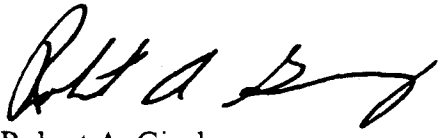
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# MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D. DATE: September 9, 2004  
and Members, Board of County Commissioners

FROM:   
Robert A. Ginsburg  
County Attorney

SUBJECT: Agenda Item No. 13(Q)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 13(Q)

9-9-04

ORDINANCE NO. \_\_\_\_\_

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-1(53.1) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING THE DEFINITION OF GROUP HOME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 33-1(56.1) of the Code of Miami-Dade County, Florida, is hereby amended as follows:<sup>1</sup>

**Sec. 33-1(53.1) Group home.** A dwelling unit licensed by the State of Florida Department of Health and Rehabilitative Services >>or successor agency<<, which is licensed to serve resident clients and which provides a living environment for not more that six (6) unrelated residents who operate as a functional equivalent of a family. Supervisory and supportive staff as may be necessary to meet the physical, emotional, and social needs of the resident clients shall be excluded in said count. >>A residential child-caring agency or family foster home, as defined by Section 409.175, Fla. Stat., as amended, which provides a living environment for not more than six (6) unrelated residents and which satisfies the registration requirements set forth in Section 409.176, Fla. Stat., as amended, shall be deemed a group home within the meaning of this section and shall not require a license issued by the State of Florida Department of Health and Rehabilitative Services or successor agency.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

RA6

Prepared by:

JM/RA6

John McInnis

Sponsored by Commissioner Jose "Pepe" Diaz

5